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General Assembly

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Sixtieth session
Agenda item 21
Question of the Falkland Islands (Malvinas)

Letter dated 27 April 2006 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

In accordance with instructions received from my Government, I have the honour to refer to the communication dated 30 November 2005 from the Government of Argentina to the United Nations relating to the extension of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, to the Falkland Islands, South Georgia and the South Sandwich Islands, and the British Antarctic Territory.

The Government of the United Kingdom of Great Britain and Northern Ireland are fully entitled to extend the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction to the Falkland Islands, South Georgia and the South Sandwich Islands, and the British Antarctic Territory.

The Government of the United Kingdom of Great Britain and Northern Ireland have no doubts about the sovereignty of the United Kingdom over the Falkland Islands, South Georgia and the South Sandwich Islands, and the British Antarctic Territory, and their surrounding maritime areas, and reject the claim by the Government of Argentina to sovereignty over those islands and areas and that the Falkland Islands and South Georgia and the South Sandwich Islands are under illegal occupation by the United Kingdom.

I should be grateful if you would arrange for the text of the present letter to be circulated as a document of the General Assembly under agenda item 21.

(*Signed*) Emyr Jones **Parry**

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Sixtieth session
Agenda items 46, 118, 120, 122, 124, 128, 129 and 136

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

United Nations reform: measures and proposals

Follow-up to the outcome of the Millennium Summit

Review of the efficiency of the administrative and financial functioning of the United Nations

Programme budget for the biennium 2006-2007

Scale of assessments for the apportionment of the expenses of the United Nations

Human resources management

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Report of the Fifth Committee

Rapporteur: Ms. Katja **Pehrman** (Finland)

I. Introduction

1. The Fifth Committee, pursuant to the statement made by the President of the General Assembly at the 75th plenary meeting of the Assembly on 30 March 2006, resumed its consideration of agenda items 46, 118, 120, 122, 124, 128, 129 and 136, in particular the report of the Secretary-General entitled "Investing in the United Nations: for a stronger Organization worldwide", at its 44th, 45th and 47th to 50th meetings on 3, 4, 24, 27 and 28 April 2006. Statements and observations made in the course of the Committee's consideration of the items are reflected in the relevant summary records (A/C.5/60/SR.44, 45 and 47-50).

2. For its consideration of the question, the Committee had before it the report of the Secretary-General entitled "Investing in the United Nations: for a stronger Organization worldwide" (A/60/692 and Corr.1), and the related report of the

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Advisory Committee on Administrative and Budgetary Questions (A/60/735 and Corr.1).

II. Consideration of draft resolution A/C.5/60/L.37/Rev.1

3. At its 47th meeting, on 24 April, the representative of South Africa, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Investing in the United Nations for a stronger Organization worldwide" (A/C.5/60/L.37/Rev.1).

4. At its 48th meeting, on 27 April, the representative of South Africa, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, made a statement and orally amended draft resolution A/C.5/60/L.37/Rev.1 by:

(a) Replacing the words "*Reaffirming also*" with the word "*Recalling*" in the ninth preambular paragraph;

(b) Inserting in section II, after operative subparagraph 2 (f), a new operative subparagraph 2 (g) to read:

"(g) An assessment of the impact of the proposals on the role and authority of the centralized human resource function";

(c) Deleting operative paragraph 3 in section II and renumbering the last paragraph as operative paragraph 3;

(d) Deleting, in operative paragraph 4 of section III, the words "defined the" and replacing them with the word "identified";

(e) Deleting, in operative paragraph 6 of section III, the words "any", "may" and "organizational" and inserting the words "overall departmental" after the words "amend the";

(f) Inserting, in operative paragraph 3 of section IV, the words "requests the Secretary-General to provide additional information in this regard," after the words "proposal 12".

5. At its 49th and 50th meetings, on 28 April, a request was made that a recorded vote be taken on draft resolution A/C.5/60/L.37/Rev.1, as orally amended.

6. At its 50th meeting, before the vote, statements in explanation of position were made by the representatives of Austria (on behalf of the States Members of the United Nations that are members of the European Union), the United States of America, Japan, New Zealand (also on behalf of Australia, Canada and New Zealand), the United Kingdom of Great Britain and Northern Ireland, Germany, Israel, Belgium, Slovakia, the Netherlands, the Russian Federation, France, the Republic of Korea, Greece, Spain, Finland and Mexico (see A/C.5/60/SR.50).

7. Also at the 50th meeting, the Committee adopted draft resolution A/C.5/60/L.37/Rev.1, as orally amended, by a recorded vote of 108 to 50 with 3 abstentions (see para. 9 below). The voting was as follows:

In favour:

Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Armenia, Norway, Uganda.

8. After the adoption of the draft resolution, statements in explanation of position were made by the representatives of Norway and Uganda.

III. Recommendation of the Fifth Committee

9. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Investing in the United Nations: for a stronger Organization worldwide

The General Assembly,

Recalling its resolution 60/1 of 16 September 2005,

Reaffirming its determination to strengthen further the role, capacity, effectiveness and efficiency of the United Nations, and thus improve its performance, in order to realize the full potential of the Organization, in accordance with the purposes and principles of the Charter of the United Nations, and to respond more effectively to the needs of Member States and existing and new global challenges facing the United Nations in the twenty-first century,

Recalling its resolutions 41/213 of 19 December 1986, 42/211 of 21 December 1987, 49/233 A of 23 December 1994, 57/300 of 20 December 2002 and 58/269 of 23 December 2003,

Recalling also its resolutions 55/258 of 14 June 2001, 57/305 and 57/307 of 15 April 2003, 58/296 of 18 June 2004, 59/266 of 23 December 2004, 59/283 of 13 April 2005 and 60/238 of 23 December 2005, as well as its other relevant resolutions and decisions on human resources management and administration of justice,

Recalling further its resolutions 54/14 of 29 October 1999, 54/256 of 7 April 2000, 55/232 of 23 December 2000, 55/247 of 12 April 2001, 57/279 of 20 December 2002, 58/276 and 58/277 of 23 December 2003 and 59/288 and 59/289 of 13 April 2005, as well as its other relevant resolutions on procurement and outsourcing practices,

Recalling its resolutions 52/12 B of 19 December 1997, 52/220 of 22 December 1997, 55/231 of 23 December 2000, 57/304 of 15 April 2003, 58/268 of 23 December 2003, 59/275 of 23 December 2004, 59/296 of 22 June 2005, 60/237 of 23 December 2005 and 60/__,[1] 60/__[2] and 60/__[3] of __ 2006,

Recalling also paragraph 1 of Article 2 and Articles 17, 18, 97 and 100 of the Charter,

Reaffirming the rules of procedure of the General Assembly,

Recalling the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the

[1] A/C.5/60/L.32.
[2] A/C.5/60/L.33.
[3] A/C.5/60/L.34.

Methods of Evaluation[4] and the Financial Regulations and Rules of the United Nations,[5]

Stressing the intergovernmental, multilateral and international character of the United Nations,

Reaffirming the role of the General Assembly and its relevant intergovernmental and expert bodies, within their respective mandates, in planning, programming, budgeting, monitoring and evaluation,

Stressing the need for Member States to participate in the budget preparation process, from its early stages and throughout the process,

Recognizing the ongoing efforts to reform human resources management, the system of administration of justice, the budgetary and planning processes and the procurement system of the United Nations, in accordance with the provisions of the relevant General Assembly resolutions and decisions,

Having considered the report of the Secretary-General entitled "Investing in the United Nations: for a stronger Organization worldwide"[6] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[7]

1. *Welcomes* the commitment of the Secretary-General to strengthening the United Nations;

2. *Takes note* of the report of the Secretary-General;[6]

3. *Takes note also* of the report of the Advisory Committee on Administrative and Budgetary Questions;[7]

4. *Reaffirms* its oversight role and the role of the Fifth Committee in administrative and budgetary matters;

5. *Reaffirms also* its primary role in the consideration of and action taken on reports submitted to it;

6. *Stresses* that setting the priorities of the United Nations is the prerogative of the Member States, as reflected in legislative decisions;

7. *Reaffirms* its role in carrying out a thorough analysis and approval of human and financial resources and policies, with a view to ensuring full, effective and efficient implementation of all mandated programmes and activities and the implementation of policies in this regard;

I. Accountability

1. *Stresses* the importance of strengthened accountability in the Organization and of ensuring greater accountability of the Secretary-General to Member States, inter alia, for the effective and efficient implementation of legislative mandates and the use of human and financial resources;

2. *Requests* the Secretary-General, in the context of the reports requested in the present resolution and the proposals contained therein, to specifically define

[4] ST/SGB/2000/8.
[5] ST/SGB/2003/7.
[6] A/60/692 and Corr.1.
[7] A/60/735 and Corr.1.

accountability as well as clear accountability mechanisms, including to the General Assembly, and to propose clear parameters for its application and the instruments for its rigorous enforcement, without exception, at all levels;

3. *Emphasizes* the need for strengthening oversight in the Organization, and looks forward to considering and taking action on the report on strengthening of the Office of Internal Oversight Services and the terms of reference requested in paragraph 4 of section 13 of its resolution 60/248 of 23 December 2005;

II. Proposals 1 to 4 and 7

1. *Recalls* its requests for reports, as contained in the relevant paragraphs of its resolutions 59/266 and 60/238;

2. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session, in addition to the reports and assessments requested in its resolutions 59/266, 59/296 and 60/238, a report, including details regarding proposals 1 to 4 and 7 contained in the report of the Secretary-General,[6] focusing on the following elements:

(a) Information on all relevant previous reform proposals as agreed by the General Assembly, including concise references to previous relevant Assembly resolutions and decisions, as well as an outline of the measures taken to implement them;

(b) An assessment of the impact of previous and ongoing reforms as they relate to the proposals;

(c) Specific costs and administrative implications, including required changes to the regulations, rules and procedures, with detailed analysis and justification;

(d) Detailed explanation and concrete examples of how it is envisaged that the proposals will enhance the effectiveness of the work of the Organization and address current deficiencies;

(e) Proposals to effectively increase the representation of developing countries in the Secretariat, in particular at senior levels, with due regard to the principle of equitable geographical distribution of posts;

(f) Proposals on how gender targets can be strictly enforced;

(g) An assessment of the impact of the proposals on the role and authority of the centralized human resources function;

3. *Reaffirms* that the staff of the United Nations is an invaluable asset of the Organization, and requests the Secretary-General, in the context of the reports requested in the present resolution, to provide information on the consultations undertaken with the staff representatives, in accordance with article VIII of the Staff Regulations, in developing the proposals on personnel policies;

III. Proposals 5 and 6

1. *Recalls* the role of the Secretary-General as the chief administrative officer of the Organization, in accordance with the provisions of Article 97 of the Charter of the United Nations;

2. *Reaffirms* paragraphs 1 and 2 of its resolution 52/12 B;

3. *Recalls* its resolutions 52/12 B and 52/220, which established the post of the Deputy Secretary-General as an integral part of the Office of the Secretary-General, without prejudice to the mandate of the Secretary-General as provided by the Charter, and that the Secretary-General will appoint the Deputy Secretary-General following consultations with Member States;

4. *Recalls also* that in its resolution 52/12 B the General Assembly identified functions of the post of the Deputy Secretary-General and the duration of its term of office, and decides that the functions of the post should be in accordance with the above resolution and should not diminish the role or responsibilities of the Secretary-General as the chief administrative officer of the Organization, including in management policies and overall operational matters;

5. *Recognizes* that the delegation of authority on the part of the Secretary-General should be in order to facilitate the better management of the Organization, but stresses that the overall responsibilities for management of the Organization rests with the Secretary-General as the chief administrative officer;

6. *Reaffirms* its role with regard to the structure of the Secretariat, and stresses that proposals that amend the overall departmental structure, as well as the format of the programme budget and the biennial programme plan are subject to the review and approval of the General Assembly;

7. *Emphasizes* that proposal 6 would be developed in the light of paragraph 13 of the report of the Advisory Committee on Administrative and Budgetary Questions;[7]

IV. Proposals 8 to 12, 17 and 18

1. *Requests* the Secretary-General to submit a detailed report, bearing in mind the unique intergovernmental nature and international character of the United Nations and the provisions of previous resolutions, including paragraph 15 of its resolution 60/237, to the General Assembly on proposals 8 to 10, 17 and 18 contained in his report,[6] which would respond to the following elements:

(a) Information on all relevant previous reform proposals as agreed by the Assembly, including concise references to previous relevant resolutions and decisions of the Assembly, as well as an outline of the measures taken to implement them;

(b) An assessment of the impact of previous and ongoing reforms as they relate to the proposals;

(c) Specific costs and administrative implications, including required changes to the regulations, rules and procedures, with detailed analysis and justification;

(d) Detailed explanation and concrete examples of how the proposals are envisaged to enhance the effectiveness of the work of the Organization and to address current deficiencies;

(e) Clear definition of the terminologies and rationale for the proposals;

(f) An assessment of previous investments in information and communications technology, as well as lessons learned and expected time frames for introducing the proposed system and arrangements for the continuation of the present system during the transitional period;

(g) Proposals on how to increase public access to United Nations information materials and important documents, including in languages other than the six official languages;

2. *Notes* that the short-term study of United Nations Department for General Assembly and Conference Management documentation outsourcing options was conducted by the Secretariat without a General Assembly mandate, and reaffirms, in this context, paragraph 27 of its resolution 53/208 B of 18 December 1998 and its resolution 55/232;

3. *Takes note* of proposal 12, requests the Secretary-General to provide additional information in this regard, and decides to revert to the issue of undertaking a detailed cost-benefit analysis of relocation, outsourcing and telecommuting opportunities on the following selected administrative services at its sixty-first session:

(a) Internal printing and publishing processes;

(b) Medical insurance plan administration;

(c) Information technology support services;

(d) Payables, receivables and payroll processes;

(e) Staff benefits administration;

4. *Recalls* paragraphs 9 to 15 of its resolution 60/__,[1] paragraph 8 of its resolution 60/__[2] and paragraphs 4 to 7 of its resolution 60/__,[3] and requests the Secretary-General, in the report referred to in paragraph 1 above, to include information on how to ensure the implementation of the provisions of the above-mentioned resolutions when proposing measures to improve the performance evaluation and reporting of the Secretariat, as stated in proposal 18;

5. *Requests* the Secretary-General to submit a detailed proposal on strengthening the monitoring and evaluation tools in the Secretariat, taking into account recent experience in results-based budgeting;

V. Proposals 14 and 15

Requests the Secretary-General to submit a detailed report, bearing in mind the unique intergovernmental nature and international character of the United Nations, to the General Assembly on proposals 14 and 15 of his report,[6] which would respond to the following elements:

(a) Information on all previous relevant reform proposals, as agreed by the Assembly, including concise references to previous relevant resolutions and decisions of the Assembly, as well as an outline of the measures taken to implement them;

(b) An assessment of the impact of previous and ongoing reforms as they relate to the proposals;

(c) Specific costs and administrative implications, including required changes to the regulations, rules and procedures, with detailed analysis and justification;

(d) Detailed explanation and concrete examples of how the proposals are envisaged to enhance the effectiveness of the work of the Organization and to address current deficiencies;

(e) Clear definition of the terminologies and rationale for the proposals;

(f) Proposals on how to increase the use of open source software in the Secretariat;

(g) Proposals to effectively increase procurement opportunities and participation of vendors from developing countries;

(h) An assessment of the effectiveness of the internal controls of the United Nations organizations referred to in proposal 14, as well as to how their internal controls differ from those of the United Nations Procurement Service;

VI. Proposal 16

1. *Recalls* paragraph 11 of its resolution 60/246, in which it recognized the need for limited discretion in budgetary implementation for the Secretary-General, within defined parameters to be agreed by the General Assembly, with clear accountability mechanisms to the Assembly for its use;

2. *Recognizes* that the proposals contained in proposal 16 do not respond to the request of the General Assembly, as contained in paragraph 11 of its resolution 60/246, and requests the Secretary-General to submit proposals to the Assembly at the second part of its resumed sixtieth session in full conformity with paragraph 11 of resolution 60/246;

3. *Stresses* that the General Assembly will review the planning and budgetary reform experiment at its sixty-second session with a view to making a final decision thereon, in accordance with its resolutions 58/269 and 60/__;[1]

4. *Reaffirms* the provisions of section I of its resolution 49/233 A;

VII. Proposal 19

1. *Emphasizes* the importance of providing the information necessary to enable Member States to make well-informed decisions;

2. *Recalls* paragraph 20 of its resolution 57/300, paragraph 6 of the annex to resolution 58/316 of 1 July 2004 and paragraph 16 of its resolution 59/313 of 12 September 2005, and requests the Secretary-General to implement measures in accordance with the above-mentioned paragraphs with a view to consolidating reports on related subjects;

3. *Reaffirms* that all reports pertaining to administrative and budgetary matters are subject to the consideration of the Fifth Committee as the appropriate Main Committee of the General Assembly entrusted with responsibilities for those matters;

VIII. Proposals 20 and 21

1. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

2. *Reaffirms also* the role of the Committee for Programme and Coordination as the main subsidiary organ of the General Assembly and the Economic and Social Council for planning, programming and coordination;

3. *Reaffirms further* that no changes to the budget methodology, to established budgetary procedures and practices or to the financial regulations may be implemented without prior review and approval by the General Assembly, in accordance with established budgetary procedures;

4. *Recalls* paragraph 162 of its resolution 60/1, whereby it called on the Secretary-General to make proposals to the General Assembly for its consideration on the conditions and measures necessary for him to carry out his managerial responsibilities effectively, and stresses that proposals 20 and 21 do not bear any relation to the requests of the Assembly as outlined in resolution 60/1 or in any other legislative mandate adopted by the Assembly;

5. *Recalls also* in this context section II of its resolution 41/213, and reaffirms that the decision-making process is governed by the provisions of the Charter, in particular Article 18, and the rules of procedure of the General Assembly;

IX. Proposals 22 and 23

1. *Takes note* of the idea of a dedicated capacity within the Secretariat with the aim of facilitating the management reform efforts within the Secretariat by the Secretary-General, and requests the Secretary-General to take into account existing capacity and expertise already available in the Secretariat in formulating future proposals in this regard;

2. *Stresses* that the implementation of reform measures approved by the General Assembly is the responsibility of the Secretary-General as the chief administrative officer of the Organization and should be undertaken in full transparency with the entire membership of the Organization through established reporting lines to the Assembly;

3. *Recalls* paragraph 163 (c) of its resolution 60/1, and requests the Secretary-General to present a detailed and justified proposal in line with the provisions and intent of paragraph 163 (c).